

Notice of Allowability

Application No.

10/052,440

Examiner

Sow-Fun Hon

Applicant(s)

ITO, YOJI

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated 10/07/05.
2. ☒ The allowed claim(s) is/are 9, 12 and 13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11/01/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.

Continuation of Attachment(s) 9. Other: Drawings filed 01/23/02 are accepted by the Examiner.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Roger Lee on November 1, 2005.

The application has been amended as follows:

2. Replace Claim 9 with - - An optical compensatory sheet comprising a transparent support and an optically anisotropic layer, wherein the optically anisotropic layer is formed from liquid crystal molecules and monomers having four or more double bonds, wherein said monomers are polymerized to form a cross-linked polymer in the optically anisotropic layer, wherein the transparent support has a retardation value in plane in the range of 0 to 50 nm and a retardation value along a thickness direction in the range of 70 to 400 nm, wherein the transparent support is a cellulose acetate film comprising cellulose acetate having an acetic acid content in the range of 59.0 to 61.5% and wherein the cellulose acetate film contains an aromatic compound having two or more aromatic rings in an amount of 0.01 to 20 weight parts based on 100 weight parts of cellulose acetate. - -

3. The following is an examiner's statement of reasons for allowance:

The closest valid cited prior art of record US 6,262,788 fails to teach or suggest, even in view of US 5,747,121 and US 5,663,310, the combination of an optical

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compensatory sheet comprising a transparent support and an optically anisotropic layer, wherein the optically anisotropic layer is formed from liquid crystal molecules and monomers having four or more double bonds, wherein said monomers are polymerized to form a cross-linked polymer in the optically anisotropic layer, wherein the transparent support has a retardation value in plane in the range of 0 to 50 nm and a retardation value along a thickness direction in the range of 70 to 400 nm, wherein the transparent support is a cellulose acetate film comprising cellulose acetate having an acetic acid content in the range of 59.0 to 61.5% and wherein the cellulose acetate film contains an aromatic compound having two or more aromatic rings in an amount of 0.01 to 20 weight parts based on 100 weight parts of cellulose acetate. Specifically, the limitation of "wherein the cellulose acetate film contains an aromatic compound having two or more aromatic rings in an amount of 0.01 to 20 weight parts based on 100 weight parts of cellulose acetate" is not taught by any of the three references. US 6,476,892 has been invalidated as prior art by the terminal disclaimer and common ownership at the time of the present invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number is (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached at (571)272-1498. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Hon.

Sow-Fun Hon

11/07/05

[Signature]
HAROLD PYON
SUPERVISORY PATENT EXAMINER
1772

11/10/05